HOUSE OF ASSEMBLY

NEWFOUNDLAND AND LABRADOR

ANNUAL REPORT

OF

THE COMMISSIONER OF MEMBERS' INTERESTS

1999-2000

December 13, 2000

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COMMISSIONER OF MEMBERS' INTERESTS

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December 13th, 2000

Honourable Lloyd Snow
Speaker
House of Assembly
Main Floor, East Block
Confederation Building
St. John's, NF

Dear Speaker:

Pursuant to Section 35 of the House of Assembly Act - Part II Conflict of Interest, I am pleased to present the 1999-2000 Annual Report of the Commissioner of Members' Interests covering the period April 1, 1999 to March 31, 2000 for tabling in the Legislature.

Sincerely yours,

Robert J. Jenkins

Robert J. Jenkins, L.V.O.
Commissioner of Members' Interests

Filing Requirement Of Members Following the February 9, 1999, Provincial General Election

Normally, members would have filed their Annual Disclosure of Private Interests Statement by April 1, 1999. However, with the holding of a Provincial General Election on February 9th, 1999, members were required to file an Initial Disclosure Statement within 60 days of being sworn in. Accordingly, on March 16th, 1999, the date of their being sworn in as members of the House of Assembly, I wrote each member requesting receipt of their Initial Disclosure Statement by May 15, 1999.

For the most part, members complied with the May 15, 1999, filing deadline. Several members had to be reminded that they had not complied with the filing date but in each case their Disclosure Statement was subsequently received.

Information Contained in Initial Disclosure Statements

In any number of instances, through oversight or lack of attention, members did not fully complete or provide the information requested in the Initial Disclosure Statement. In due course, after personal contact, the information was provided as requested.

I thank members who, in many instances, contacted me directly to seek guidance and advice in filing the required information.

Compliance

Based on their filing of Initial Disclosure Statements, I am pleased to report that all members appeared to be in compliance with the legislation. Each member's Statement was reviewed in a comprehensive fashion in my capacity as Commissioner and, where applicable, a comparison was made with the information contained in previous filings. Any variances or apparent changes were discussed confidentially with the member to determine the reason for the variance/difference.

Members are reminded of Section 36(4) of the House of Assembly Act Part II Conflict of Interest which states:

"(4) A material change to information required to be disclosed to the Commissioner under this section, shall be reported to the Commissioner in writing by the member not more than 60 days after the change occurs."

In a number of instances, members failed to report material changes in their private interests as required. In each instance I am fully satisfied that the failure to report a material change was purely an oversight and in no way represented any intent to circumvent the legislation.

Public Disclosure Statement

Following the receipt and detailed review of each member's comprehensive Initial Disclosure Statement of Private Interests and, pursuant to Section 37 of the Act, as Commissioner I prepared a Public Disclosure Statement for each member, for their review and subsequent return. The Public Disclosure Statement of each member is placed on file in my office and is made available for public inspection during normal business hours. While my office does not maintain a log of the frequency of public inspections of the Public Disclosure Statements, occasionally members of the media, party officials and members of the public do visit my office to view these documents.

During the period of this report (i.e. April 1, 1999, to March 3, 2000) I have not received any formal requests or applications from any member, the Honourable the Premier, or the House of Assembly, to investigate any contravention of the Act by any member of the Legislature, including Cabinet Ministers.

Conferences

As Commissioner of Members' Interests I was pleased to attend the Annual Conference of the Canadian Conflict of Interest Network (C-COIN) held in Victoria, British Columbia on October 15th and 16th, 1999. C-COIN comprises the Conflict of Interest Commissioners in each of the Provinces and Territories with the exception of Manitoba which has no Commissioner, and the Ethics Counsellor of Canada. The Annual Conference affords the various jurisdictions the opportunity to discuss issues of mutual interest and to review legislative/regulatory trends. The 2000 C-COIN Conference will be held in St. John's for the first time and I look forward to hosting my colleagues during the period of their visit on September 29th and 30th.

Additionally, in my capacity as Commissioner of Members' Interests and as Chief Electoral Officer, I attended the Annual Conference of the Council on Governmental Ethics Laws (COGEL) in Providence, Rhode Island, from December 5th to 8th, 1999. COGEL is comprised of United States and Canadian officials with responsibilities for Conflict of Interest/ Ethics, Freedom of Information and Election Financing Regulation.

I wish to offer members my appreciation for their continued cooperation and assistance in ensuring compliance with the legislation.